

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|--------------------------------------|---|------------------------|
| In re Patent Application of |) | MAIL STOP PCT |
| Nicholas S. Bodor |) | |
| |) | Group Art Unit: |
| Application No.: 10/551,094 |) | Examiner: |
| |) | |
| Filing Date: PCT/US2004/009384 filed |) | Confirmation No.: 1615 |
| March 26, 2004 |) | |
| |) | |
| Title: CLADRIBINE FORMULATIONS FOR |) | |
| IMPROVED ORAL AND |) | |
| TRANSMUCOSAL DELIVERY |) | |

**FIRST
INFORMATION DISCLOSURE STATEMENT
TRANSMITTAL LETTER**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a FIRST Information Disclosure Statement (IDS) and accompanying form PTO-1449 for the above-identified patent application.

- ☒ No additional fee for submission of an IDS is required.
- ☐ The fee of 180 as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e), and the fee of 180 as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- ☐ Charge _____ to Deposit Account No. 02-4800 for the fee due.
- ☐ A check in the amount of _____ is enclosed for the fee due.
- ☐ Charge _____ to credit card for the fee due. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BUCHANAN INGERSOLL AND ROONEY PC

Date August 4, 2006

By: Mary Katherine Baumeister
Mary Katherine Baumeister
Registration No. 26254

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620

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FIRST INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98. Applicants request the Examiner's consideration of the documents listed on the accompanying Form PTO-1449. All of these documents are cited in the instant specification, including the documents cited in the International Search Report (copy enclosed) which was issued in connection with PCT/US2004/009384, filed March 26, 2004, of which this application is the national phase.

Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed. However, copies of any listed U.S. patents and U.S. patent application publications are not enclosed since it is no longer required according to the July 11, 2003 waiver of the requirement for copies of cited U.S. patents and U.S. patent application publications in national patent applications filed after June 30, 2003 and international applications entering the national stage under 35 U.S.C. § 371 after June 30, 2003.

This Statement, Form PTO-1449 and documents are being submitted within three (3) months of the filing or entry of the national stage of this application or before the first Office Action on the merits, whichever is later. Since these documents are being filed within the time period set forth in 37 C.F.R. § 1.97(b), no fee or statement is required.

The following remarks are offered with respect to the listed documents which are not in English:

DE 31 18 218 is in German. Applicant does not have an English translation. However, an English abstract, together with the citation of the document in the instant specification, is enclosed to serve as a brief statement of relevance. Applicant considers this a general state of the art reference.

DE 33 17 064 is in German. Applicant does not have an English translation but provides herewith an English abstract. The abstract and citation of the document in the specification serve as a brief statement of relevance. Applicant considers this a general state of the art reference.

EP 0 149 197 B1 is in German, although the claims are also present in English. Applicant encloses a full English translation of this document, which is cited in the instant specification and which applicant considers to be a general state of the art reference.

It is respectfully requested that an Examiner-initialed copy of the accompanying Form PTO-1449 be returned to the undersigned.

Respectfully submitted,

BUCHANAN INGERSOLL AND ROONEY PC

Date: August 4, 2006

By: Mary Katherine Baumeister
Mary Katherine Baumeister
Registration No. 26254

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620

FIRST
INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

| | |
|----------------------|-------------------|
| Application Number | 10/551,094 |
| Filing Date | |
| First Named Inventor | Nicholas S. Bodor |
| Examiner Name | |
| Attorney Docket No. | 1033935-000020 |

U.S. PATENT DOCUMENTS

| Examiner Initials | Document Number | Kind Code (if known) | Name of Patentee or Applicant of Cited Document | Issue/Publication Date (MM-DD-YYYY) |
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| | | | | | Translation | Partial Translation | Eng. Lang. Summary | Search Report | IPER | Abstract | Cited in Spec |
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NON-PATENT LITERATURE DOCUMENTS

| Examiner Initials | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |
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| Examiner Signature | Date Considered |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FIRST
INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 2 of 2

| | |
|----------------------|-------------------|
| Application Number | 10/551,094 |
| Filing Date | |
| First Named Inventor | Nicholas S. Bodor |
| Examiner Name | |
| Attorney Docket No. | 1033935-000020 |

NON-PATENT LITERATURE DOCUMENTS

| Examiner Initials | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |
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|--------------------|--|-----------------|--|
| Examiner Signature | | Date Considered | |
|--------------------|--|-----------------|--|

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